

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MARK JONATHAN GOSSETT,

Petitioner,

v.

JASON BENNETT,

Respondent.

CASE NO. 3:24-cv-05408-RAJ

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

The Court, having reviewed Petitioner's petition for writ of habeas corpus, the Report and Recommendation of S. Kate Vaughan, United States Magistrate Judge, the objections¹, and the remaining record, hereby finds and ORDERS:

(1) The Report and Recommendation is approved and adopted.

(2) Petitioner's petition for writ of habeas corpus (Dkt. 1-1) and this action are DISMISSED pursuant to 28 U.S.C. § 2244(a), as the petition constitutes an unauthorized second or successive petition and this Court therefore lacks jurisdiction to consider it.

(3) Petitioner's application to proceed in forma pauperis (Dkt. 1), and the motions submitted by Petitioner in conjunction with his petition (Dkts. 1-5, 1-6, 8, 9, 10, 13) are DENIED as moot.

¹ Petitioner filed other motions after the publication of the Report and Recommendation. The Court has reviewed and considered these motions. Dkts. # 8, 9, 10, 13. In adopting the Report & Recommendation, the Court construes these motions as objections.

1 (4) In accordance with Rule 11 of the Rules Governing Section 2254 Cases in the United
2 States District Courts, a certificate of appealability is DENIED.

3 (5) The Clerk is directed to send copies of this Order to Petitioner and to the Honorable
4 S. Kate Vaughan.

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6 DATED this 21st day of August, 2024.

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9 The Honorable Richard A. Jones
10 United States District Judge
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